

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/000471

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-3 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-5 _____ received by this Authority on 24.11.2005 with letter of 22.11.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-5</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1.	Reference is made to the following documents:		
	<p>D1: EP-A-1 150 094 (KABUSHIKI KAISHA TOKAI RIKA DENKI SEISAKUSHO) 31 October 2001 (2001-10-31);</p> <p>D2: US-A-5 821 517 (VIEUX-ROCHAZ LIGNE ET AL) 13 October 1998 (1998-10-13).</p>		
2.	INDEPENDENT CLAIM 1		
2.1	<p>Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to said document):</p> <ul style="list-style-type: none"> - a device for determining the angular position of a rotary member relative to a holder (paragraph 0014), which device includes: <ul style="list-style-type: none"> - a magnetic flux generator that is connected to said rotary member (paragraph 0015), is shaped like a ring or a ring portion and includes alternate poles forming a series of magnets that generate magnetic fluxes in substantially parallel 		

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	<p style="text-align: center;">directions (paragraphs 0016-0017); and</p> <p style="text-align: center;">- a magnetoresistive sensor connected to said holder (paragraph 0019)</p> <p>It follows that the subject matter of claim 1 differs from this known device in that said magnetic flux generator is cut out of a strip consisting of a series of constant-width lines that extend in a single direction and form said poles.</p> <p>2.2 It follows that the subject matter of claim 1 is novel (PCT Article 33(2)).</p> <p>2.3 The problem that the present invention is intended to solve can therefore be considered to be that of generating a magnetic flux using a ring-shaped magnetic flux generator, in such a way that the angle between said magnetic flux and a magnetoresistive sensor continuously varies depending on the angular position of a rotary member.</p> <p>2.4 The solution to this problem, as proposed in claim 1 of the present application, is not found in the prior art and cannot be derived in an obvious manner therefrom. It follows that the subject matter of claim 1 involves an inventive step (PCT Article 33(3)).</p>

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3.	<p>DEPENDENT CLAIMS</p> <p>Claims 2-5 are dependent on claim 1 and, as such, therefore also fulfil the PCT requirements of novelty and inventive step.</p>
4.	<p>INDUSTRIAL APPLICABILITY</p> <p>The subject matter of claims 2-5 is industrially applicable in compliance with the requirements set forth in PCT Article 33(4).</p>